



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,913	10/03/2005	Keijo Laiho	P18057-US1	8367
27045	7590	08/08/2008		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER THIER, MICHAEL	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 08/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,913

Applicant(s)

LAIHO ET AL.

Examiner

MICHAEL T. THIER

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-4, 6-7, and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (EP 1389862).

Regarding claims 1 and 11. Shen teaches a method and apparatus of performing lawful interception of a first multimedia call between first and second terminals (title, abstract and figure 2), the method comprising:

detecting the initiation of the first multimedia call at monitoring equipment located in the a call path of the first multimedia call (figure 2, i.e. the interception proxy and RTP proxy combination shown inside the dotted lines of figure 2, and see par. 4 and 50, i.e. the device detects information being transmitted between two IP parties, further see the end of par. 4 which explains the calls can be data, internet access, video, real-time pictures, etc, which read on multimedia calls, further see par. 19 which explains the use of multimedia in SIP);

forwarding from the monitoring equipment to a gateway, parameters defining at

least one of the a forward channel and a reverse channel of said the first multimedia call (par. 50, i.e. the lawful interception device may be a media gateway controller (MGC), and generates instructions for the RTP proxy to create channels, thus reading on forwarding parameters defining at least one of the forward and reverse channel of the multimedia call from the monitoring equipment to the gateway since the MGC tells the RTP to create specific channels to bypass the media stream to be intercepted, further see par. 54 lines 8-13 which specifically explains the parameters being forwarded to the gateway);

emulating a multimedia terminal at said gateway (par. 53 lines 52-58, further see par. 55, lines 30-34) and setting up a second multimedia call between the emulated terminal and a monitoring terminal (par. 53 lines 52-54), said gateway performing the complete media control protocol transactions with the monitoring terminal based upon the received parameters and wherein said gateway maps protocols utilized in the first multimedia call to protocols used in the second multimedia call (par. 53 lines 52-54 and par. 55, i.e. the first terminal will send data which will be received by the RTP and then sent from the RTP to the second terminal, thus the device maps the data from the first channel (i.e. the first multimedia call) to the second channel (i.e. second multimedia call); and

following the initiation of the first multimedia call, intercepting forward or reverse channel data at said monitoring equipment (par. 55, lines 28-30), routing the intercepted data to said gateway (par. 21, i.e. redirection services, and par. 50, creating bypass channels to intercept media streams), and transmitting the data to the monitoring

terminal over the forward channel of the second multimedia call (par. 53 lines 52-54).

Shen does not specifically disclose that the complete media control is performed at the gateway, however he explains in par. 50, that the interception device can be a Media Gateway Controller, and thus the media control is understood to be performed at a gateway.

Regarding claim 3. Shen further teaches wherein the monitoring terminal communicates with said gateway via a broadband IP network (par. 3).

Regarding claim 4. Shen further teaches said monitoring equipment forwarding to said gateway, signaling messages exchanged between the first and second terminals involved in the call being intercepted (par. 53).

Regarding claim 6. Shen further teaches setting up a call from said gateway to the monitoring terminal for each of the forward and reverse channels of the intercepted call. (par. 53)

Regarding claim 7. Shen further teaches comprising multiplexing/mixing the intercepted forward and reverse channel data onto a forward channel of the second multimedia call established between said gateway and the monitoring terminal. (par. 55)

Regarding claim 10. Shen further teaches wherein the first and second terminals participating in the first multimedia call are Session Initiation Protocol (SIP) terminals, and said monitoring terminal is also a SIP terminal. (par. 5-10)

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (EP 1389862) in view of Armbruster et al. (US 5892811).

Regarding claim 5. Shen teaches the limitations of the previous claims.

However he does not specifically disclose that the gateway performs transcoding of intercepted channel data.

Armbruster teaches performing transcoding of intercepted channel data in column 6 lines 35-53.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the teachings of Armbruster with the teachings as in Shen. The motivation for doing so would have been to improve the quality of incepted calls.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (EP 1389862) in view of Hoffberg et al. (US 2002/0151992).

Regarding claim 9. Shen teaches the limitations of the previous claims.

However he does not specifically disclose wherein the first and second terminals participating in the first multimedia call are H.324 terminals, and said monitoring terminal is an H.323 terminal.

Hoffberg teaches the idea of terminal participating in multimedia calls are H. 324 terminals, and the idea of a monitoring terminal that is an H. 323 terminal in par. 642.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the teachings of Hoffberg with the teachings as in Shen. The motivation for doing so would have been to improve compatibility in the network (par. 642).

Allowable Subject Matter

6. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MICHAEL T. THIER** whose telephone number is (571) 272-2832. The examiner can normally be reached on Monday thru Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T. T./
Examiner, Art Unit 2617
8/5/2008

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2617